



# Facility Management

PAGE NUMBER 1 OF 2  
DATE REVIEWED: 12-1-2000  
POLICY NUMBER 08-90

**SUBJECT:** USE OF PROPERTY OR SERVICE FOR POLITICAL PURPOSES

## POLICY STATEMENT

The following sections of the North Dakota Century Code apply to state property used for political purposes:

### 16.1-10-02. USE OF STATE SERVICES OR PROPERTY FOR POLITICAL PURPOSES.

1. No person shall use any property belonging to or leased by, or any service which is provided to or carried on by, either directly or by contract, the state or any agency, department, bureau, board, or commission thereof, for any political purpose.
2. The following definitions shall be used for the purposes of this section:
  - a. "Political purpose" means any activity directly undertaken by a candidate for any office in support of his own election to such office; or aid and assistance to any candidate, political party, political committee, or organization, but shall not include activities undertaken in the performance of a duty of state office.
  - b. "Property" includes, but is not limited to, motor vehicles, telephone, typewriters, adding machines, postage or postage meters, funds of money, and buildings. However, nothing in this section shall be construed to prohibit any candidate, political party, committee, or organization from using any public building for such political meetings as may be required by law, or to prohibit such candidate, political party, committee, or organization from hiring the use of any public building for any political purpose if such lease or hiring is otherwise permitted by law.
  - c. "Services" include, but is not limited to, the use of employees during regular working hours for which such employees have not taken annual or sick leave or other compensatory leave.

39-01-4. "POLITICAL ACTIVITY" DEFINED. The term "political activity" as used in this chapter includes any form of campaigning or electioneering, such as attending or arranging for political meetings, transporting candidates or workers engaged in campaigning or electioneering, such as attending or arranging for political meetings, transporting candidates or workers engaged in campaigning or electioneering, distributing campaign literature, political guide cards, and placards, soliciting or canvassing for campaign funds, transporting electors to the polls on election day, and any other form of political work usually and ordinarily engaged in by state officers and employees during primary and general election campaigns.

239-01-05. EXPENSES NOT TO BE COLLECTED BY STATE OFFICERS OR EMPLOYEES ENGAGED IN POLITICAL ACTIVITY. No state officer or employee of this state, or of any department, board, bureau, commission, institution, industry, or other agency thereof, who uses or drives any privately owned motor vehicle while engaged in political activity, may collect or receive, directly or indirectly, from this state or any

department, board, bureau, commission, institutions, industry, or other agency thereof, any expense moneys whatsoever for the use or operation of any such motor vehicle on any day on which such political work was done, and no such state officer or public employee may collect or receive any traveling expense reimbursement from this state, or any department, board, bureau, commission, institution, or other agency thereof for any time spent engaging in any political activity.

44-08-19.      **POLITICAL ACTIVITIES BY PUBLIC EMPLOYEES PROHIBITED WHILE ON DUTY . DEFINITION.**

1.      No public employee shall engage in political activities while on duty or in uniform. Although nothing in this section shall prevent any such employee from becoming or continuing to be a member or officer of a political club or organization, from attendance at a political meeting, from contributing to or otherwise supporting candidates of his choice, from enjoying entire freedom from all interference in casting his vote or favoring candidates, or from seeking or accepting election or appointment to public office, the governing body of any political subdivision may adopt appropriate ordinances prohibiting public employees from engaging in political activities while such employees are on duty or in uniform.
2.      For the purposes of this section, "political activities" means those activities defined by section 39-01-04.